

Serial No. 10/017,786

REMARKS

This amendment is responsive to the Official Action dated March 18, 2004.

Claims 1-19, 22-26 and 30-34 were pending in the application. Claims 19, 23, 24 and 26 were rejected. Claims 22 and 25 were objected to. Claims 1-18 and 30-34 were allowed.

By way of this amendment, the Applicant has amended claims 19, 23 and 24.

Accordingly, claims 1-19, 22-26 and 30-34 are currently pending. Favorable reconsideration of all claims is respectfully solicited in view of the Remarks below.

I. Rejections under 35 USC § 112:

Claims 23 and 24 were rejected under 35 USC §112, first paragraph as being inconsistent with the language as amended in base dependent claim 19. The Applicant has amended the language of Claims 23 and 24 to read consistently with the base claim, Claim 19. Accordingly, this rejection is no longer believed to be applicable. Withdrawal of the rejection and reconsideration of the rejection is respectfully solicited.

II. Rejections under 35 USC §102:

Claims 19, 23 and 26 were rejected under 35 USC §102 as being unpatentable over the US Patent to Flynn. The Examiner has asserted that Figs. 1, 2 and 3Q illustrate a photodetector 20, 30 and capacitor 22, 35A, 42 coupled between the photodetector bias terminal and ground.

The Applicant has again amended claim 19 to more clearly and fully include all of the limitations found in originally allowable dependant claim 20. Accordingly this claim as amended is believed to be allowable over the prior art of record. Further, claims 23 and 26 are dependant on now allowable base claim 19. In view of the amendments made, favorable reconsideration of the rejected claims is respectfully solicited.

III. Objections to Claims:

The Examiner objected to claims 22 and 25 as being allowable but for their dependency on a rejected base claim 19. The Applicant has amended claim 19 to include the limitations of allowable claim 20 thereby placing claim 19 in condition for allowance. Further, claims 22 and 25 are dependant on now allowable claim 19. Withdrawal of this objection is requested.

Serial No. 10/017,786

IV. Allowable claims:

Claims 1-18 and 30-34 were determined to be allowable over the prior art of record.

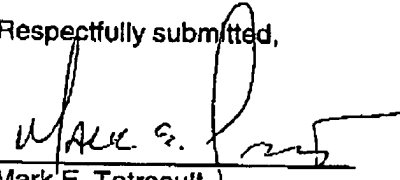
V. CONCLUSION

Accordingly, claims 1-19, 22-26 and 30-34 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,



Mark E. Tetreault
Reg. No. 48,289

BARLOW, JOSEPHS & HOLMES, Ltd.
101 Dyer Street, 5th Floor
Providence, RI 02903
401-273-4446 (tel)
401-273-4447 (fax)